

REMARKS

Claims 1-32 are pending in the present application. Claims 1, 11, 16, 20, and 30 are independent. Claims 20-32 have been added to more particularly define what Applicant regards as his invention.

Claim Objection

Claim 18 is objected to because of a minor, noted informality. This claim objection is respectfully traversed.

Applicant has amended claim 18 in the fashion suggested by the Examiner. Therefore, Applicant respectfully requests reconsideration and withdrawal of the claim objection.

35 U.S.C. § 102(b) Blatter Rejection

Claims 1, 3, 4, 6, and 8-12 are rejected under 35 U.S.C. § 102(b) as being anticipated by Blatter (USP 6,016,348). This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

In claim 1, it is recited that an information table substitution unit substitutes the new first specific information table for an information table corresponding to the first specific information table contained in the packet stream transmitted. Therefore, claim 1 recites that an information

table is contained in a packet stream transmitted to an information table substitution unit and that an information table substitution unit substitutes the new first specific information table for an information table contained in the packet stream.

The outstanding Office Action regards MUX 110 shown in Fig. 1 of Blatter et al. as corresponding to "an information table substitution unit" of claim 1. According to column 10, lines 56-58 of Blatter, program content packet datastreams are provided from unit 47 to MUX 110. The program content packet datastreams are video or audio datastreams related to a program to be recorded, and therefore, it is asserted that an information table (PSI) is not contained in the program content packet datastreams.

Assuming, *in arguendo*, that a PSI was contained in the program content packet datastreams, as a result of multiplexing (in MUX 110) between the program content packet datastream and CPSI afterwards, a composite datastream would contain both PSI and CPSI. Therefore, Blatter et al. does not disclose or suggest the recited feature of claim 1 that an information table is contained in a packet stream transmitted to an information table substitution unit.

Further, as discussed above, in Blatter et al., MUX 110 multiplexes between the program content datastream and the CPSI to create a composite data stream. Therefore, since MUX 110 does not substitute the CPSI for the PSI, Blatter et al. does not disclose or suggest another feature of claim 1, that the new first specific information table is substituted for an information table contained in the packet stream.

Amended claim 11 recites that a program information index is generated based on information contained in various information tables which are extracted from the packet stream and that the program information index is different from the various information tables. That is, it is recited that a program information index is generated based on information contained in information tables, and not on the information table itself.

The outstanding Office Action states that "the full PSI" of Blatter et al. corresponds to "a program information index" of claim 11 based on the description in column 8, lines 49-61 of Blatter et al. However, PSI is an information table itself which is extracted from the packet stream, and is not generated based on information contained in information tables (PSI). Therefore, Blatter et al. does not disclose or suggest that a program information index is generated based on information contained in

various information tables which are extracted from the packet stream and that the program information index is different from the various information tables as further recited in claim 11.

For all of the above reasons, taken alone or in combination, Applicant respectfully requests reconsideration and withdrawal of the § 102(b) rejection. Dependent claims 3-6, 8-10 and 12 are considered patentable at least because of their dependency upon respective independent claims 1 and 11.

35 U.S.C. § 103 (Blatter - Ohishi Rejection)

Claims 16-18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Blatter in view of Ohishi (USP 5,909,257). This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

In Blatter et al., MUX 110 multiplexes between the program content datastream and the CPSI, and as a result, the composite datastream is compatible with MPEG standard (a predetermined standard). Therefore, a composite datastream that is compatible with MPEG standard is stored in a medium 105, and a composite datastream that is compatible with MPEG standard is output from the medium 105.

Therefore, Blatter et al. does not disclose or suggest the feature of claim 16 that the packet stream that does not conform

to a predetermined standard is recorded by a record and reproduction unit. Similarly, Ohishi et al. also does not disclose or suggest the limitation of claim 16 that the packet stream that does not conform to a predetermined standard is recorded by a record and reproduction unit.

For all of the above reasons, taken alone or in combination, Applicant respectfully requests reconsideration and withdrawal of the 35 U.S.C. § 103 Blatter - Ohishi rejections.

Because all of the dependent claims necessarily include the features of one of the independent claims, 1, 11, or 16, they should be considered allowable at least for the same reasons as asserted for the independent claim. Furthermore, newly presented claims 20-32 are also considered patentable over the art of record because they recite a unique combination of features not found or suggested by any art of record even when taken in combination.

Conclusion

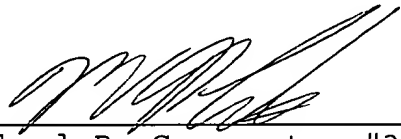
Should the Examiner believe that any outstanding matters remain in the present application, the Examiner is respectfully requested to contact Michael R. Cammarata (Reg. No. 39,491) at the telephone number of the undersigned to discuss the present application in an effort to expedite prosecution.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


Michael R. Cammarata, #39,341

MRC/kpc

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000